

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

CHRISTINA PRUKALA, individually	:	
and on behalf of all others similarly	:	
situated,	:	Case No. 3:14-cv-00154-ARC
	:	
Plaintiff,	:	(United States District Judge
	:	A. Richard Caputo)
	:	
v.	:	Electronically Filed
	:	
DSW INC.; JOHN DOES 1-10; AND	:	
CORPORATIONS X, Y, Z,	:	
	:	
Defendants.	:	

MOTION TO DISMISS PLAINTIFF’S COMPLAINT

Defendant, DSW Inc. (“DSW”), by and through its counsel, Reed Smith LLP, pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby moves for entry of an order dismissing Plaintiff’s Complaint in its entirety for failure to state a claim upon which relief may be granted. The further grounds for this Motion are stated more fully in the accompanying Memorandum of Law, which is incorporated fully by reference. Pursuant to Local Rule of Civil Procedure 7.1, a Certificate of Non-Concurrence is attached hereto.

Date: February 5, 2014

Respectfully submitted,

By REED SMITH LLP

/s/ Roy W. Arnold

Roy W. Arnold (*admitted pro hac vice*)

Pa. I.D. No. 70544

James L. Rockney (*admitted pro hac vice*)

Pa. I.D. No. 200026

Emily B. Thomas

PA I.D. 203454

225 Fifth Avenue

Pittsburgh, PA 15222

Telephone: 412-288-3916

Fax: 412-288-3063

Email: rarnold@reedsmith.com

jrockney@reedsmith.com

ethomas@reedsmith.com

Counsel for Defendant

DSW Inc.

CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2014, I electronically filed the foregoing Motion to Dismiss Plaintiff's Complaint with the Clerk of Court for the U.S. District Court, Middle District of Pennsylvania, using the electronic case filing system of the court. The electronic case filing system will send notification of such filing to all counsel of record. Counsel may access such document using the Court's system.

Date: February 5, 2014

s/ Roy W. Arnold
Counsel for DSW Inc.